

BEFORE THE IOWA BOARD OF PHARMACY

RE: Application for Pharmacy Support Person Registration of KIMBERLEY MOSLOSKI Applicant	REGISTRATION BY CONSENT AGREEMENT
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COME NOW the Iowa Board of Pharmacy ("Board") and Kimberley Mosloski ("Applicant"), 1002 N 6th St, Estherville, IA 51334, and enter into this Registration by Consent Agreement, pursuant to Iowa Code sections 17A.10 and 17A.18. The Board has jurisdiction over Applicant and the subject matter of this case pursuant to Iowa Code chapters 17A, 155A, and 272C, and 657 IAC chapters 5 and 36.

A. LEGAL GROUNDS

1. The Board has the authority to deny a pharmacy support person registration if the applicant violated any rules of the Board. Iowa Code § 155A.6B(5), 657 IAC 5.24.

2. Board rules require a pharmacy support person to complete an application for registration within 30 days of accepting employment in an Iowa pharmacy as a pharmacy support person. 657 IAC 5.4.

B. FACTUAL CIRCUMSTANCES

3. On October 17, 2019, Applicant was hired by Hy-Vee Pharmacy 1170.

4. In February of 2020, the Board received an incomplete PSP registration application from Applicant.

5. The Board notified the Applicant of the application deficiencies.

6. In April 2021, the Board received a complete PSP registration application from Applicant.

7. Applicant worked as a pharmacy support person without a registration throughout this time period.

C. REGISTRATION BY CONSENT

8. Applicant admits the allegations in the Factual Circumstances and acknowledges that the allegations, if proven in a contested case hearing concerning registration denial, would constitute grounds for the adverse action agreed to in this Agreement.

9. Execution of this Agreement constitutes the resolution of a contested case. Applicant has a right to hearing before the Board on the grounds for registration denial, but Applicant waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's action, by freely and voluntarily entering into this Agreement. Once entered, this Agreement shall have the force and effect of a Board Order entered following a contested case hearing concerning registration denial.

10. Applicant acknowledges that she has the right to be represented by counsel on this matter.

11. This Agreement is subject to approval by a majority of the full Board. If the Board does not approve this Agreement, it shall be of no force or effect to either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Agreement, it shall be the full and final resolution of this matter.

12. This Agreement shall be part of Applicant's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

13. Applicant understands that this Agreement constitutes adverse action and that the Board is required by federal law to report any adverse action to the National Practitioner Data Bank.

14. This Agreement, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

15. The Board's approval of this Agreement shall constitute a **FINAL ORDER** of the Board.

IT IS THEREFORE ORDERED:

16. Upon completion of administrative requirements, Applicant shall be issued an Iowa pharmacy support person registration.

17. Applicant is hereby **CITED** for working as a pharmacy support person without the required registration and **WARNED** that future violations of the laws and rules governing pharmacy support persons can result in further disciplinary action.

18. Applicant shall pay a **CIVIL PENALTY** in the amount of fifty dollars (\$50) within thirty (30) days of Board approval of this Agreement. The check shall be made payable to the "Treasurer of Iowa" and shall be deposited in the general fund. The civil penalty should be mailed to the Iowa Board of Pharmacy, Attn: Amanda Woltz, 400 SW 8th St, Ste E, Des Moines IA 50309.

19. Should Applicant violate the terms of this Agreement, the Board may initiate action to impose licensee discipline as authorized by Iowa Code chapters 155A and 272C and 657 IAC chapter 36.

5-17-21
Date

Kimberley Mosloski
KIMBERLEY MOSLOSKI
Applicant

This Registration by Consent Agreement is approved by the Executive Director with authorization from the Iowa Board of Pharmacy on May 18, 2021.

Andrew Funk
Andrew Funk, Pharm.D., Executive Director
Iowa Board of Pharmacy